



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SAMUEL HERRERA, JR.

Petitioner,

vs.

CENTRAL VALLEY COMMUNITY
CORRECTIONAL FACILITY,

Respondent.

Case No. 3:10-CV-00455-LRH-(VPC)

ORDER

The court instructed petitioner to file an amended petition, because his original petition (#1) was too vague to warrant relief. Order (#5). Petitioner has not complied within the allotted time, and the court will dismiss the action.

Reasonable jurists would not find this conclusion to be debatable or wrong, and the court will not issue a certificate of appealability.

IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice for petitioner's failure to comply with the court's order (#5). The clerk of the court shall enter judgment accordingly.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

DATED this 7th day of October, 2010.

LARRY R. HICKS
UNITED STATES DISTRICT JUDGE